

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JACQUELINE HAYES,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:10CV2355 HEA
)	
U. S. DEPARTMENT OF JUSTICE, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis [Doc. #2]. The motion will be provisionally granted. Additionally, the Court will transfer this case to the United States District Court, District of Minnesota (Minneapolis).

Plaintiff brings this action under 28 U.S.C. § 1331. The Court notes that none of the named defendants are located in the State of Missouri, and almost all appear to be located in judicial district of the United States District Court, District of Minnesota (Minneapolis). Moreover, all of the events described in the complaint occurred in the judicial district of the United States District Court, District of Minnesota (Minneapolis).

Pursuant to 28 U.S.C. § 1391(b), an action of this type may "be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought."

Because the defendants are primarily located in the judicial district of the United States District Court, District of Minnesota (Minneapolis), and because the events that gave rise to this case occurred there as well, venue is proper in the United States District Court, District of Minnesota (Minneapolis).

Under 28 U.S.C. § 1406(b), “The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.” Because plaintiff is proceeding pro se, the Court finds that it is in the interest of justice to transfer this case to the United States District Court, District of Minnesota (Minneapolis).

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion to proceed in forma pauperis is provisionally **GRANTED**, subject to modification by the United States District Court, District of Minnesota (Minneapolis).

IT IS FURTHER ORDERED that the Clerk shall transfer this case to the United States District Court, District of Minnesota (Minneapolis). *See* 28 U.S.C. § 1406(b).

Dated this 18th day of February, 2011.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", is written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE